

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

MID-PACIFIC REGION

**SOUTH-CENTRAL CALIFORNIA AREA OFFICE
FRESNO, CALIFORNIA**

Draft FINDING OF NO SIGNIFICANT IMPACT

**2008 CONDITIONAL ONE YEAR PRE-APPROVAL OF TRANSFERS AND
EXCHANGES BETWEEN FRIANT AND CROSS VALLEY LONG-TERM CVP
CONTRACTORS AND NON-CVP CONTRACTORS**

**Central Valley Project
Sacramento, California**

FONSI-07-120

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In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the approval of the transfer and exchange project is not a major federal action that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact is supported by Reclamation's Draft Environmental Assessment (EA) Number EA-07-120, 2008 Conditional One Year Pre-approval of Transfers and Exchanges between Friant and Cross Valley Long-Term CVP Contractors and Non-CVP Contractors, and is hereby incorporated by reference.

BACKGROUND

The Bureau of Reclamation (Reclamation) proposes to programmatically pre-approve transfers and exchanges of up to 70,000 AF of CVP water from Millerton Reservoir between Friant and Cross Valley Long-Term CVP Contractors and Non-CVP Contractors in the 2008 contract year. The water will be delivered to Non-CVP Contractors (NCVPC) via the Friant-Kern Canal and conveyance facilities emanating from it.

Friant Division and Cross Valley Contractors have requested that a streamlined conditional pre-approval process be developed to encourage efficient water management and allow maximum water management flexibility between themselves and a group of 17 NCVPC through transfer and exchanges.

The NCVPC who are potential recipients of transfer or exchanges are:

- Buena Vista Water Storage District
- Cawelo Water District
- Consolidated Irrigation District
- Corcoran Irrigation District
- Deer Creek & Tule River Authority
- Rosedale-Rio Bravo Water Storage District
- Semitropic Water Storage District
- Tulare Lake Basin Water Storage District
- North Kern Water Storage District
- Kings County Water District
- Kings River Conservation District
- Lakeside Irrigation District
- Liberty Water District
- Kaweah Delta Water Conservation District
- Kern County Water Agency
- Kern Delta Water District
- Kern Water Bank Authority

As the referenced EA looks at the conveyance and delivery of CVP water supplies from a programmatic viewpoint but does not evaluate the freeing up of the water supplies from Friant and Cross Valley Contractor's districts, additional individual proposal specific environmental analysis must be completed for each transfer or exchange requested.

As a condition of the proposed transfers and exchanges, the NCVPC water application or conveyance will not affect the presence of threatened or endangered species. Grasslands and shrub land that have never been tilled or irrigated will not be tilled and put into production using this water acquired via transfer or exchange. Land that has been fallowed, idled, or not cultivated on a temporary basis (less than three consecutive years) and rotated back into production is not considered conversion of a native habitat. Participating NCVPC will commit to compliance with the terms and conditions of the Friant Long Term Contract Renewal Biological Opinion.

The alternatives also require that the following conditions be met:

- CVP water may be applied only to lands located within the applicable Friant POU boundaries inside of NCVPC's established service area boundaries,
- CVP water may be used for either Agricultural or M&I purposes,
- No native or untilled land (fallow for 3 years or more) may be cultivated with CVP water involved in these actions,
- No new construction or modification of existing facilities is to occur in order to complete the proposed actions,
- No new water supplies are to be created by the delivery of the CVP water to the NCVPC for movement outside of the NCVPC's service area boundaries,
- There can be no impacts to third parties,
- Transfers and exchanges involving CVP water cannot alter the flow regime of natural waterways or natural watercourses such as rivers, streams or creeks, ponds, pools, wetlands, etc., so as to have a detrimental effect on fish or wildlife or their habitats,
- All transfers and exchanges involving CVP water must comply with all applicable federal, state and local laws, regulations, permits, guidelines and policies
- Reclamation will review each transfer or exchange proposal for compliance with the above conditions prior to approval and execution of the action.

FINDINGS

Surface Water Resources: The Proposed Action improves the NCVPC's short term water supply and operational efficiency at times when the CVP Contractors have demonstrated that they have freed up their water supplies for transfer in compliance with CVPIA. CVPIA requires that the Contractor's show a reduction in consumptive use or that the water would have been irretrievably lost in order for the water to be transferable. The amount of water to be transferred is small when considering overall water supplies. No new facilities would be needed as a result of the Proposed Action. The Proposed Action would not interfere with the normal operations of any CVP facilities, nor would it impede any CVP obligations to deliver water to other contractors or to local fish and wildlife habitat. Friant and Cross Valley Contractors would not be changing in-district historic long term land and water management practices as a result of the Proposed Action. The amount of water

diverted from reservoirs or waterways would not change although the timing may differ. Project operations and facility use would not vary significantly.

The Proposed Action involves existing water supplies and does not result in additional diversions of water. No SWP water or facilities are involved in the Proposed Action. Overall water supplies would not increase or decrease. Water quality and quantities would not change. Therefore, the Proposed Action would cause no significant impacts to surface water resources.

Groundwater Resources: Both the CVP and NCVPC Contractors share the same aquifer. The transfer of water to areas with insufficient surface water supplies would result in less pumping of groundwater in those areas. As groundwater overdraft is considered a threat to the water quality and quantity in the San Joaquin Valley, this would constitute a beneficial effect. Groundwater use would likely increase in dry years as in the past. To the extent that up to 70,000 af of water is available and transferred to areas with overdraft conditions, groundwater recharge opportunities could improve and/or groundwater pumping would be reduced. This benefit would be small and would not lead to significant changes in groundwater quality and quantity.

Land Use: The Proposed Action would not change land use conditions from existing conditions. All water would move through existing facilities and be placed on established agricultural lands. None of the project CVP water would be used to place any untilled or new lands into production, or to convert undeveloped land to other uses. NCVPC would not convert additional land to farming based on these temporary transfer and exchanges. Any water that is delivered to lands within NCVPC as a result of this project would be to help offset temporary water supply shortages. The Proposed Action involves temporary transfers and exchanges and would not provide incentive for long-term land use changes. Therefore, the Proposed Action is not expected to cause significant environmental impacts on land use.

Biological Resources: The short duration of the water availability, the requirement that no native lands be converted without consultation with Fish and Wildlife Service, and the requirements for transfers under applicable laws would preclude any impacts to wildlife. Water moved under the Proposed Action would be conveyed in existing facilities and no new construction or land disturbing activities would occur. Farming practices would not change including fallowing lands. Decisions to fallow lands are based on fluctuating agricultural economical and hydrological conditions. The decision to fallow lands could free up water to be redistributed within the water district or transferred. Reclamation determines annual allocations to CVP contractors based on hydrological conditions and after meeting water quality, fish and wildlife requirements. Habitat types would not change from past conditions. Lands that have been fallowed for three consecutive years would require biological surveys prior to disking. Approval of the transfers of water would not interfere with the requirements or ability of Reclamation to make water available for fish and wildlife uses mandated by CVPIA or the various Biological Opinions relating to the action area. There would be no effects to biological resources.

Cultural Resources: The conveyance of Friant CVP and exchanged water would not harm any cultural resources. Water supplies would be transferred, exchanged and conveyed in existing facilities and canals to established agricultural land. No excavation or construction is required to convey the water and no untilled land will be cultivated with this water. Consequently, the undertaking is not a type of activity with the potential to affect cultural resources eligible to the National Register of Historic Places.

Indian Trust Assets: The same amount of water would be diverted and used within the same geographical area. There are no tribes possessing legal property interests held in trust by the United States associated with this water. Annual allocations of CVP water are made after factoring in American Indian fishing rights and do not interfere with deliveries to Indian Reservations.

Socioeconomic Resources: The delivery of the Friant or Cross Valley CVP water to NCVPC will provide water to water short areas and would help sustain NCVPC's existing croplands. Businesses rely on these crops to maintain jobs. The Proposed Action would not induce population growth within NCVPC's districts, nor would seasonal labor requirements change. Agriculturally dependent businesses would not be affected by the Proposed Action. No adverse effects on public health and safety would occur. The Proposed Action would not have highly controversial or uncertain environmental effects or involve unique or unknown environmental risks. The Proposed Action would continue to support the economic vitality in the region. Friant, Cross Valley and NCVPCs are responsible for managing water for the benefit of the landowners or constituents within their service areas for agricultural or M&I uses, since they exist to support growers or the general public within their respective districts. Maximizing the use of water service actions is beneficial to local economic conditions and agricultural employment. The Proposed Action would, therefore, have slight benefits to agricultural operators, and no impacts to agriculture supported businesses or employees.

Environmental Justice: The Proposed Action does not result in increases or decreases of overall water supplies nor changes from past conditions. Hydrological conditions could result in less water available to irrigate farms and support M&I uses. Under dry conditions, fewer acres of lands may be irrigated and job opportunities for low income farm workers could be reduced. The transfers and exchanges allow available water supplies to be redistributed within the same geographical area. Transfers and exchanges will allow deliveries of water to existing permanent and annual crops and existing M&I purposes. Current crop production supports existing food processing plants and their associated jobs. The Proposed Action is a water management tools that could maintain some crops and jobs for farm laborers. The Proposed Action will not change overall water supplies. The Proposed Action may result in small positive impacts on the continuation of job opportunities for low income wage earners.

Cumulative Impacts: The Proposed Action will allow NCVPCs to utilize the delivered Friant or Cross Valley CVP water for meeting crop demands within their districts during the 2008 contract year. There are no cumulative impacts to canals, facilities, or operations for delivering surface water supplies, since the Proposed Action would utilize existing facilities as designed. The Proposed Action, when added to other past, present, and future actions does not result in additional diversions of water. Water quality would not be degraded as a result of water service actions. Water service actions are typically requested to manage and move available water supplies through existing facilities to meet existing demands within fluctuating hydrological conditions. Valley wide water supply quantities would not change. To the extent that the CVP has delivered surface water supplies into NCVPC districts with this project and through past transfers and exchanges, groundwater management has improved and may continue to improve the water table levels in the aquifers in the region. The Proposed Action, in conjunction with past, present and reasonably foreseen actions would not result in any significant impacts to the environment.